

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED FEDERATION OF CHURCHES,  
LLC d/b/a THE SATANIC TEMPLE,

Plaintiff,

v.

DAVID ALAN JOHNSON, an individual;  
LEAH FISHBAUGH, an individual;  
MICKEY MEEHAM, an individual; and  
NATHAN SULLIVAN, an individual,

Defendants.

No. 2:20-cv-00509-RAJ

**DECLARATION OF DAVID A.  
JOHNSON IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

NOTED ON MOTION CALENDAR:  
December 16, 2022

I, David A. Johnson, declare as follows:

1. I am a former member of The Satanic Temple's Washington State chapter (hereafter referred to as "TST-WA") and I am one of the defendants in the above captioned suit.

2. I became a member of what would become TST-WA in May of 2019. In August of 2019, I was added to TST-WA's "Media" team responsible for disseminating information, particularly on social media. In September of 2019, I was added to TST-WA's "Strategy Council," which consisted of approximately twenty guild heads (essentially, volunteer committee-leads) plus a TST-WA Chapter Head and a Media Liaison.

1           3.       Through my roles with TST-WA, I learned that the ultimate local authority  
2 for TST-WA rested in TST-WA's Chapter Head and its Media Liaison. TST-WA's Chapter  
3 Head at the time was Leah Garvais, also known as "Siri Sanguine," and the Media Liaison  
4 was Paul Case, also known as "Tarkus Claypool."

5           4.       Members of the chapter observed the authority of the Chapter Head and Media  
6 Liaison being exercised on November 11, 2019, when Paul Case/Tarkus Claypool and Leah  
7 Garvais/Siri Sanguine unilaterally removed another "co-chapter head." The co-chapter head  
8 had been leading the "South Sound Satanists" group in Tacoma, Olympia, and unincorporated  
9 areas in the south Puget Sound region of Washington. After he was removed as co-chapter  
10 head, Garvais and Case then revoked the former co-chapter head's TST membership entirely  
11 because he told the rest of the chapter about the circumstances of his demotion.

12           5.       Before the co-chapter head was removed in November of 2019, a South Sound  
13 group (an unofficial group that did not have official TST chapter status) led by the co-chapter  
14 chair used a Facebook page that was originally called "South Sound Satanists: Friends of  
15 TST." The same day as the removal of the South Sound co-chapter head, Paul Case/Tarkus  
16 Claypool removed the other prior administrators of that Facebook page, replacing them with  
17 Leah Garvais/Siri Sanguine.

18           6.       After Case and Garvais effectively ex-communicated the co-chapter chair in  
19 November of 2019, they explained their reasons for doing so to other members. Their actions  
20 and explanation led to an exodus of many of the most active members of the "South Sound  
21 Satanists" group who stated openly that this behavior by Garvais and Case made them no  
22 longer want to be part of the Seattle group they were supposedly merging with to form a  
23 statewide TST-WA. At the time, I was not fully aware what was happening or why.

24           7.       Subsequently, internal discussions at TST-WA occurred about what might be  
25 done with the former co-chapter chair's Facebook page that was used for the South Sound  
26 Satanists, but which had largely been abandoned and silent. For the period of July 2019

1 through November 2019, there were only three public posts on the page. After the co-chapter  
2 chair's removal, from November 11 through December 24, 2019, there were no posts at all.

3 8. On December 21, 2019, Garvais/Siri Sanguine added me and co-defendants  
4 Leah Fishbaugh and Mickey Meehan (known at the time as "Lenore Calavera") as editors of  
5 the South Sound Satanists page. The plan was to turn the largely abandoned page into a  
6 "memes page," focusing on short-form humor and provocative images, rather than use the  
7 page as a community. The page was intended to include funny "memes" from places like  
8 Twitter and Tumblr. It was supposed to be tonally comedic, light, and ironic.

9 9. On January 1, 2020, Garvais/Siri Sanguine changed my role on the South  
10 Sound Satanists page (now referred to as the "Memes Page"<sup>1</sup>) to "admin" along with my co-  
11 defendant Meehan/Lenore Calavera. Pursuant to Facebook's policies, having an "admin"  
12 status provides the admin with the ability to fully control the page and its content, including  
13 the ability to fully control all other users' role assignments for the page.

14 10. Around that same time, Garvais/Siri Sanguine made a mistake and  
15 accidentally renamed the South Sound page to "TST WA Allies." This change was supposed  
16 to take place on a related Facebook *group* for the South Sound Satanists, which had  
17 previously facilitated semi-private communications among members in that region. It was  
18 changed to open up to people statewide who were interested in supporting TST's work but  
19 did not want to be members. Facebook *pages* are different from Facebook *groups*. A  
20 Facebook *page* is more public and can be accessed by anyone in the public with a Facebook  
21 profile. A Facebook *group* is used more for building communities among those who share a  
22 common interest, such as employees or church members. Unlike pages, groups can be set to  
23 private or semi-private.<sup>2</sup>

24  
25 <sup>1</sup> In its motion and pleadings, TST refers to the Memes Page as the "Allies page."

26 <sup>2</sup> These differences are explained by Facebook in a short Facebook Help Center post called  
"Differences between Profiles, Pages and Groups on Facebook," available at  
<https://www.facebook.com/help/337881706729661>.

11. The Facebook *group* that had been associated with the South Sound Satanists for their own organizing and socializing was scrubbed of identifying information (such as addresses for meeting up to work on crafts) and was opened to non-chapter members statewide. This Facebook group was re-named “The Satanic Temple - Washington State (Allies)” on Jan. 1, 2020.<sup>3</sup> On the same date, Garvais/Siri Sanguine mistakenly renamed the South Sound Satanists *page* to “TST WA Allies.” Because Facebook does not allow a name to be changed again too soon after a prior change, the page name could not immediately be fixed. However, at this same time, the page’s username/url was changed to be “facebook.com/queersatanicmemes<sup>4</sup>” and the future intent was to change the name of the page to something relating to the url, aligning the page with its new “meme” content.

12. On March 12, 2020, Garvais/Siri Sanguine sent an email out regarding a dispute relating to a former member who was upset about the chapter continuing to use their image for promoting the chapter and other public actions by the chapter even after that member had been driven out years before following months of unaddressed sexual harassment from another TST-WA member. Garvais/Siri Sanguine announced that the resolution of the dispute involved unilaterally dissolving TST-WA’s guilds and naming a new strategy council of herself, Paul Case/Tarkus Claypool, and about a half dozen other hand-picked people.

13. In an (at the time) private email on March 14, 2020, Garvais/Siri Sanguine berated Mickey Meehan/Lenore Calavera for his social media work (that he had been providing on a voluntary and complimentary basis) and was critical of the content he was posting on the Memes Page. A true and correct copy of that March 14 email is attached

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<sup>3</sup> It appears that TST or TST-WA at some point deleted this Facebook group, but I do not know the circumstances. TST or TST-WA later (in December of 2021) created a new Facebook group titled “Allies and Novitiates of The Satanic Temple Washington Facebook Group.” See <https://www.facebook.com/groups/1054323648698786>.

<sup>4</sup> The username/url for this page has since been changed to “facebook.com/QueerSatanic.”

hereto as **Exhibit 1**. The same day, Meehan/Lenore Calavera removed Garvais/Siri Sanguine and Case/Tarkus Claypool as admins from the Memes Page. *See Exhibit 2*. Afterward, Meehan changed the name of the Memes Page to “Evergreen Memes for Queer Satanic Fiends,” posted on the Memes Page “This page is no longer affiliated with The Satanic Temple,” and explained the reasons why it was no longer so affiliated. *See Exhibit 3*, which is a screenshot of the March 14, 2020 post to the page. In another email to all local members the same evening, Garvais/Siri Sanguine publicly accused Meehan/Lenore Calavera of having “stolen” the former South Sound Facebook page (at the time mistakenly named “TST WA Allies”) and said Meehan/Lenore Calavera was banned nationally for the “theft.” **Exhibit 4**.

14. However, after Meehan/Lenore Calavera changed the Memes Page’s name and posted the statement that the page was no longer affiliated with TST and after this chapter-wide email (Exhibit 4) from Garvais/Siri Sanguine, TST-WA’s Media Liaison, Case/Tarkus Claypool, sent Meehan/Lenore Calavera an email with the subject line “Evergreen Memes for Queer Satanic Fiends” in which Case/Tarkus Claypool told Meehan/Lenore Calavera that TST had no interest in the page and that Meehan/Lenore Calavera could have and use the page “free and clear.” *See Exhibit 5*, which is a true and correct copy of the March 14, 2020 email Case/Tarkus Claypool sent to Meehan/Lenore Calavera, and which Meehan/Lenore Calavera provided to me.

15. The next day, in a March 15, 2020 online (Zoom) town hall meeting, Media Liaison, Paul Case/Tarkus Claypool, again publicly reiterated in front of TST-WA members and TST-WA’s Chapter Head that TST-WA had no interest in the Memes Page and that he wished us (the current defendants) all well. An electronic copy of a video of that town hall meeting is submitted as Exhibit 1 to the Declaration of Jeremy Roller in Opposition to Plaintiff’s Motion for Preliminary Injunction. Paul Case/Tarkus Claypool’s statement is at

1 approximate timestamp 1:20:35 on the video. Garvais/Siri Sanguine spoke immediately after  
 2 Case at 1:21:10 of the same video, expressing personal enjoyment of the Memes Page.

3 16. Since Case/Tarkus Claypool's clear, public statements that TST-WA had no  
 4 interest in the Memes Page and that we were free to use the Memes Page and Garvais/Siri  
 5 Sanguine's agreement, no one from TST ever asked us to give TST control of the Memes  
 6 Page. Similarly, I am not aware of TST ever asking Facebook to remove me or the other  
 7 defendants as admins from the Memes Page. The first time that TST asked for control of the  
 8 Memes Page was over two years later, in June of 2022, when TST's attorney notified our  
 9 attorney that he was planning on seeking an injunction forcing us to give TST control of the  
 10 Memes Page. At the time TST filed this lawsuit, the Memes Page had about 500 followers.  
 11 Since that time and under the administration of me and certain co-defendants, followership  
 12 of the Memes Page has grown to approximately 24,000.

### 13 **Plaintiff's Counsel's Harassing Statements**

14 17. At times over the last two years, the Memes Page has included information  
 15 about various legal filings and doings of The Satanic Temple, such as when their cases in  
 16 other jurisdictions are dismissed, when their legal counsel is sanctioned, or when they  
 17 threaten other critics of TST with lawsuits.

18 18. Perhaps because of these postings, TST's lead counsel in this case, Matt  
 19 Kezhaya, has publicly expressed personal animus toward me and fellow defendants in this  
 20 case. For example, on May 26, 2022, Kezhaya used an account on Reddit called  
 21 "u/stormsmcgee" to post the following:

22 *I will not answer any questions related to the idiots that call themselves*  
 23 *"QueerSatanic," or their idiot-conspiracy theories. My only comment on*  
 24 *that topic is:*

25 *I can't believe you morons have spent more than \$80,000 fighting to keep*  
 26 *TST's Facebook page. You are pathetic. You have no concept of civil*  
*liberties, or what is at stake by the ever-encroaching theocracy. Your*  
*lawyer is a gentleman and a scholar. I hope he squeezes every last penny*  
*from you living corpses, and anyone that gives you the time of day.*

1 Kezyaha or someone else appears since to have edited this post to remove this insulting attack  
 2 on me and my co-defendants. However, I located the post in a collection of websites archived  
 3 by a non-profit organization called the Internet Archive, using the search feature at  
 4 [www.archive.org](http://www.archive.org), known as the “Wayback Machine.” Attached hereto as **Exhibit 6** is a true  
 5 and correct copy of a portion of the webpage [https://web.archive.org/web/20220527005507/](https://web.archive.org/web/20220527005507/https://www.reddit.com/r/SatanicTemple_Reddit/comments/uym4sv/tst_court_update_may_26_2022_this_one_is_by_tsts/)  
 6 [https://www.reddit.com/r/SatanicTemple\\_Reddit/comments/uym4sv/tst\\_court\\_update\\_may](https://www.reddit.com/r/SatanicTemple_Reddit/comments/uym4sv/tst_court_update_may_26_2022_this_one_is_by_tsts/)  
 7 [\\_26\\_2022\\_this\\_one\\_is\\_by\\_tsts/](https://www.reddit.com/r/SatanicTemple_Reddit/comments/uym4sv/tst_court_update_may_26_2022_this_one_is_by_tsts/) as that site appeared on the Wayback Machine on December  
 8 11, 2022 (emphasis added). The individuals who Kezhaya referred to as “the idiots that call  
 9 themselves ‘QueerSatanic,’” “morons,” and “living corpses” are me and my co-defendants  
 10 in this case.

11 19. Later on the same day, Kezhaya commented on his own Reddit post as  
 12 follows:

13 *Plaintiffs always want to have as many options available because who is to*  
 14 *say how the facts will shake out. Defendants always want to constrain the*  
 15 *plaintiff's choices for the same reason. Litigation is zero-sum.<sup>5</sup> If Plaintiff*  
 16 *wants something, that is generally bad for Defendant. And vice versa.*

17 . . .

18 *I wanted some federal statutes to apply because that would maximize TST's*  
 19 *damages, would keep us in Federal court (as opposed to State court), and*  
 20 *provided the option to collect attorney's fees for having to litigate this.*

21 <sup>5</sup> In response to a Court order to explain why TST had issued a harassing subpoena to a  
 22 Boston City Councilor, who was elected Mayor of Boston, TST's counsel invoked the same  
 23 litigation philosophy:

24 I feel no remorse for the action I took. As an attorney, it is my sworn duty  
 25 to do anything short of breaking the law to see to it that my client's goals  
 26 are recognized. This business of litigation is zero-sum. Everything I do  
 which can benefit my client will cause an equal and opposite effect on the  
 other side. I serve my purpose with all the zealous advocacy which my oath  
 commands. And I expect nothing less from my adversaries.

See Letter from Matthew Kezhaya to Hon. Arnold Pachon, United States District Court Judge  
 for the District of Massachusetts in *Satanic Temple v. Boston*, No. 21-cv-10102 (Dkt. No.  
 38), a true and correct copy of which is attached hereto as **Exhibit 9**.

1 A true and correct copy of that comment, obtained from the Wayback Machine at webpage  
2 <https://web.archive.org/web/20220527211543/https://www.reddit.com/r/SatanicTemple>  
3 [\\_Reddit/comments/uym4sv/tst\\_court\\_update\\_may\\_26\\_2022\\_this\\_one\\_is\\_by\\_tsts/ia7nt39/?](https://web.archive.org/web/20220527211543/https://www.reddit.com/r/SatanicTemple/comments/uym4sv/tst_court_update_may_26_2022_this_one_is_by_tsts/ia7nt39/?context=8&depth=9)  
4 [context=8&depth=9](https://web.archive.org/web/20220527211543/https://www.reddit.com/r/SatanicTemple/comments/uym4sv/tst_court_update_may_26_2022_this_one_is_by_tsts/ia7nt39/?context=8&depth=9) on December 11, 2022, is attached hereto as **Exhibit 7** (emphasis  
5 added).

6 20. More recently, on November 16, 2022, in his public Twitter account, Kezhaya  
7 wrote:

8 Are these fuckwits still talking about me? Grow up, and file an answer so I  
9 can get at your financial records. I'm coming for you. Tell the judge on me  
10 again, I double dare you.

11 Attached as **Exhibit 8** is a true and correct copy Kezhaya's November 16, 2022 tweet.

12  
13 I declare under penalty of perjury of the laws of the United States that the foregoing  
14 is true and correct.

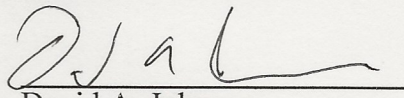
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1  
2 DATED: December 12, 2022, at Seattle, Washington.

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5 David A. Johnson  
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**CERTIFICATE OF SERVICE**

I certify that on this date I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, thereby sending a notification of such filing to the following parties:

**LYBECK PEDREIRA & JUSTUS, PLLC**

Benjamin Justus  
Chase Bank Building  
7900 SE 28th Street, Fifth Floor  
Mercer Island, WA 98040  
ben@lpjustus.com

☐ E-mail  
☐ U.S. Mail  
☒ E-filing

**KEZHAYA LAW PLC**

Matthew A. Kezhaya  
1202 NE McClain Rd  
Bentonville, AR 72712  
matt@kezhaya.law

☐ E-mail  
☐ U.S. Mail  
☒ E-filing

Dated this 12<sup>th</sup> day of December, 2022, at Seattle, Washington.

/s/ Janet Fischer

Janet Fischer  
Paralegal

# **EXHIBIT 1**



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## FINAL DECISION re:Investigation into former member complain

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----- Forwarded message -----

From: **Siri Sanguine** <[sirisanguine@gmail.com](mailto:sirisanguine@gmail.com)>

Date: Sat, Mar 14, 2020, 5:31 PM

Subject: Re: FINAL DECISION re:Investigation into former member complain

To: Lenore Calavera <[lenorecalavera@gmail.com](mailto:lenorecalavera@gmail.com)>

Hello Lenore,

Thank you for contacting me directly to fact-find versus speculating. I appreciate that very much.

You were included in the list of names because you were cc'd in Wylie's complaint. Pure and simple. All of the members cc'd were named as I have to assume the lot of you A.) read the email itself, B.) are in agreement with the complaint by virtue of your silence, C.) And that if I was earnest in defending myself I would be pointing out how my actions were to the contrary. For example, "I wrote to Wylie appalled that they included me in their schemes. Here is a copy of that with their reply."

Ergo logic dictates that you were involved.

I can accept your thinking you were only there to bear witness - that is fine if you feel the need to distance yourself from it now. But the dissolution of Legion does not mean that your membership in the chapter has ended - just your role in leadership.

Now, let me assure you that this one incident is not the sole reason for you not being included in my strategy council going forward. There have been many incidences over your tenure of failing to follow through on tasks you agreed to complete and also not informing the other legion members in a timely fashion so that they could help. Here is some examples for you to consider:

\*Cannot be held accountable for your own guild (IC is aware of how badly the allies page is fucking up), isn't worried about being labelled a criminal (and endorses negative and unrelated leftist politics on TST-affiliated social media). TST WA Allies should be about Satanism. On March 4th, this was told to you and ADJ, but just as recently as two days ago, there is a [post about ableism](#). (this as a post from an individual is great - as TST WA not acceptable).

\*Failed to attend a meeting to specifically address concerns about your guild which you were notified of and agreed to be there weeks in advance, and left ADJ (a non-lead in that guild) to answer for your guild. Your failure to attend that meeting led us to not be able to implement fixes that could have avoided IC catching wind of it's off-mission abuse of the Tenets to push personal agendas.

\*As Guild Head of Publicity, you did not initiate, conceive, nor execute ANY publicity campaign for our biggest action in two years.

\*Failed to work with Evergreen for P4P despite being reminded for months and refused help from another member who also is an alum. Didn't tell anyone you were out of spoons until the day before a scheduled outing with Barrett (Barrett went alone to the campus in your place even though he is not an alum).

\*Lupercalia- Made Crimson feel like her home was a hotel by asking for a separate room to be made up for you last minute. Spent the night and left without cleaning or informing someone else that cleaning needed to happen. When

discussed in Legion, did not own up to your contribution of the problem for several days.

Personally, I do like you as a person and enjoy your company, but this is "business" and I have to set my personal feelings aside and create the best team possible for the chapter. I need people to actually do the things they commit to so no one person gets overloaded, and who can communicate their lack of ability to complete a task with enough time for the group to recover. You have proven yourself incapable of these behaviors so I have adjusted my expectations accordingly.

Thank you for your understanding,  
Siri

On Fri, Mar 13, 2020 at 4:24 PM Lenore Calavera <[lenorecalavera@gmail.com](mailto:lenorecalavera@gmail.com)> wrote:

Greetings!













































I'd really like to know what I did to undermine leadership? I was CCd on Wylie's email, but I did not read or sign off on it's content. These are not my words, I thought I was being CCd as a witness to a complaint. You called me out specifically. You know this chapter and community is important to me. Please. What did I do wrong?

Sincerely,  
Lenore

[Quoted text hidden]

# **EXHIBIT 2**



 Claimed ownership of the Page	 <b>Queer Satanic Memes</b>	May 6, 2020, 4:53 PM
 Removed Faye Meehan as an editor	 <b>Faye Meehan</b>	Apr 29, 2020, 1:13 PM
 Added Nathan Von Sullivan as an editor	 <b>A David Johnson</b>	Mar 30, 2020, 4:25 PM
 Changed Faye Meehan from an admin to an editor	 <b>A David Johnson</b>	Mar 30, 2020, 4:24 PM
 Changed Faye Meehan from an admin to an editor	 <b>A David Johnson</b>	Mar 30, 2020, 4:24 PM
 Changed Faye Meehan from an editor to an admin	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:55 PM
 Removed Barret Daniels as an editor	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:07 PM
 Removed Leah Fishbaugh as an editor	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:07 PM
 Removed Tarkus Claypool as an admin	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:07 PM
 Removed Lilith Starr as an admin	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:06 PM
 Removed Siri Sanguine as an admin	 <b>Joshua Calavera</b>	Mar 14, 2020, 6:06 PM
 Added Barret Daniels as an editor	 <b>Siri Sanguine</b>	Jan 6, 2020, 8:05 AM
 Added Faye Meehan as an editor	 <b>Joshua Calavera</b>	Jan 5, 2020, 4:25 PM
 Changed A David Johnson from an editor to an admin	 <b>Siri Sanguine</b>	Jan 1, 2020, 6:24 PM
 Changed Joshua Calavera from an editor to an admin	 <b>Siri Sanguine</b>	Jan 1, 2020, 6:24 PM
 Added Leah Fishbaugh as an editor	 <b>Siri Sanguine</b>	Dec 21, 2019, 11:09 AM
 Added Joshua Calavera as an editor	 <b>Siri Sanguine</b>	Dec 21, 2019, 11:02 AM
 Added A David Johnson as an editor	 <b>Siri Sanguine</b>	Dec 21, 2019, 10:41 AM
 Added Siri Sanguine as an admin	 <b>Tarkus Claypool</b>	Nov 11, 2019, 7:28 PM
 Removed Vapula Lix as an admin	 <b>Tarkus Claypool</b>	Nov 11, 2019, 7:04 PM
 Removed Kitty Piercing as an admin	 <b>Tarkus Claypool</b>	Nov 11, 2019, 7:04 PM
 Removed Derek Piercing as an admin	 <b>Tarkus Claypool</b>	Nov 11, 2019, 7:03 PM

# **EXHIBIT 3**





## Evergreen Memes for Queer Satanic Fiends

Published by Joshua Calavera · March 14, 2020 ·

...

**\*\*This page is no longer affiliated with The Satanic Temple.\*\***

Ave Satanas!

I was recently notified that talking about transphobes and ableism was considered not to be relevant to The Satanic Temple's "International Council" in Salem or to the local chapter in Washington State.

So by talking about leftist politics like how "The struggle for justice is an ongoing and necessary pursuit that should prevail over laws and institutions," this page wasn't being Satanic.

Specifically:

"(IC is aware of how badly the allies page is fucking up), isn't worried about being labelled a criminal (and endorses negative and unrelated leftist politics on TST-affiliated social media). TST WA Allies should be about Satanism. On March 4th, this was told to you and ADJ, but just as recently as two days ago, there is a post about ableism. (this as a post from an individual is great - as TST WA not acceptable)."

So to be clear, this page thinks ableism, misogyny, and racism are superstitions, fascists are bad, transphobes can shut the fuck up, and the only good bootlickers do it for a kink and not because they love making excuses for cops killing people.

No gods, no masters.

Be gay, do crime, hail Satan

# **EXHIBIT 4**



David Johnson <somedavidjohnson@gmail.com>

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**[tst-washington] TST WA Allies group on Facebook**

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**Siri Sanguine** <sirisanguine@gmail.com>

Sat, Mar 14, 2020, 7:48 PM

To: <tst-washington@googlegroups.com>

Good evening,

It has be brought to our attention that Lenore Calavera has stolen our FB page TST WA Allies and renamed it "evergreen memes for queer satanic fiends". I have informed our contacts at IC and are awaiting advice on next steps.

Due to this rogue behavior Lenore is not longer to be considered a member of TST WA and will be placed on the National list of banned members for their theft.

Thank you,

Siri

[Quoted text hidden]

# **EXHIBIT 5**



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## Evergreen Memes for Queer Satanic Fiends

1 message

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**Tarkus Claypool** <tarkus.claypool@gmail.com>  
To: Lenore Calavera <lenorecalavera@gmail.com>

Sat, Mar 14, 2020 at 9:09 PM

Hi Lenore,

I saw that you made some changes to the TST WA State Allies FB group. I just wanted to let you know that it's yours free and clear and we've no desire to claim it. You and ADJ built it and have done a great job doing so. I'm confident you'll both continue doing awesome work.

Sorry the way things panned out, and I do mean all of it. I wish you and your family well, and respect your need to fight the fight your way.

Rock on,

-Tarkus Claypool  
Media Liaison, The Satanic Temple of Washington  
(he/him)

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### CONFIDENTIALITY NOTICE

The content of this email is confidential and intended only for those parties who received the email directly from the [tarkus.claypool@gmail.com](mailto:tarkus.claypool@gmail.com) address. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender.

# **EXHIBIT 6**

## **r/SatanicTemple\_Reddit - TST Court Update! (May 26, 2022) -- this one is by TST's lawyer**

Hello everyone! Thank you for your interest in TST's legal efforts. I'm Matt Kezhaya, TST's general counsel. I am recently the subject of a Federal Judge's ire, which is actually pretty normal in my law practice (TST cases and otherwise).

So I've been made aware that Mr. "Chip on my shoulder after Matt bailed out on a podcast taping because I misled him into believing I'm a TST supporter" Hail Satan Podcast guy is crowing about a sanctions order against me. I felt the community was entitled to know the other side of the story.

I'll start with the bottom line-upfront. Yes, I am ordered to pay about \$17,000 of my own personal money because I have been a very naughty boy, or so the Judge says. I have a different take, of course. Basically this sanctions order is the product of a bait-and-switch scheme. TST was told that some of its claims were legally insufficient, and were to be dismissed from an ongoing lawsuit ("TST 1"). But, TST was assured that it was entitled to fix the claims and refile them. I asked the Court if I could fix the claims in the ongoing lawsuit ("TST 1") and a magistrate said "no." A magistrate is not allowed to preclude other lawsuits, and TST was told it could refile the dismissed claims, so I refiled the dismissed claims as "TST 2." The District Judge later affirmed the magistrate's then-six-month-old decision to tell me "no" and, since I already filed TST 2, TST 2 was to be dismissed without leave to refile and I owe the City's lawyers \$17,000 for them having to get TST 2 dismissed. Again, bait-and-switch: "you can refile" turned into "how dare you refile."

That's the short version. If you're interested in the case, read on. If not, I'll be around to answer questions about TST's legal efforts. No promises on answering every question. If I think your question is harmful to the organization I'll probably ignore it, unless I feel like fucking with you. I'm TST's cheerleader, so please note that I am maximum biased in TST's favor. I will not answer any questions related to the idiots that call themselves "QueerSatanic," or their idiot-conspiracy theories. My only comment on that topic is:

I can't believe you morons have spent more than \$80,000 fighting to keep TST's Facebook page. You are pathetic. You have no concept of civil liberties, or what is at stake by the ever-encroaching theocracy. Your lawyer is gentleman and a scholar. I hope he squeezes every last penny from you living corpses, and anyone that gives you the time of day.

Not very "First Tenet," or whatever, but you can't teach an old war dog new tricks.

On with Belle Plaine.

This case arose from TST's efforts to get equal treatment to a "limited public forum" (a place where a government opens its private property for the purpose of accommodating expressive activity about a particular topic), which the City of Belle

Plaine opened, "basically so the cross could stay in the Park" (that's a verbatim quote from the mayor, follow [this link](#) to see him say it for yourself, it's at 1:15 - 1:20). The full meeting can be found [here](#). The primary purpose of that meeting was to hear out the local Catholic priest's religious objection to the City granting TST equal access to the forum.

Rewind about four months, and the City Council had a meeting to hear out a proposal to open the Park to private monuments. The full meeting can be found [here](#). The proposal was prepared by the ADF (a Christian legal advocacy group) and presented by the Veterans Group, who were proponents of putting this Christian monument in the park.

At that meeting, Councilor Stier, who would later become the tie-breaking vote asks for assurances there would be no competitor monuments by an Atheist or Satanic group:

[I've seen monuments that are going up in Detroit right now that have [a] Satanic meaning to them. So, how can we up here, be assured that, number one, these monuments won't go into that Park?

The proponent of the proposal assured him that, indeed, the proposal is designed to allow in their good Christian monument to the contemplated exclusion of dirty Atheists or Satanists:

[There is [sic] specific criteria . . . [that] the monument would be consistently seen in other memorial parks. A Satanic statute is not consistently seen in other memorial parks. Your foxhole, for an atheist foxhole thing, is not consistently seen in other memorial parks.

The particularly astute among you might think "That's super illegal, they can't do that!" And you are correct. The City Attorney tells them as much:

[[T]his is illustrating my concern . . . The concern is that if the intent is, or the effect of the criteria is, to eliminate certain messages, that is constitutionally suspect—which is putting it nicely. That is exactly what is not allowed: [which] is for the government to establish rules which prevent certain religions from speaking.

You can hear the above exchange for yourself by following [this link](#).



Councilor Stier was also concerned about the [FFRF](#) having a monument, but the FFRF never did join in on the fun. They correctly figured that once we got involved, the Cross would go away.

The City attorney was very much against the proposal because, obviously, TST would be demanding equal access to this forum. We told them as much. Ultimately, the final policy was clear that everyone is allowed in, but your display would have to honor Belle Plaine veterans.

So, TST did what it is famous for and created a display that honors Belle Plaine veterans. It's [beautiful](#). The artist even donated \$40,000 worth of services, just because he supports the cause. But, once TST announced it was ready for some of that constitutionally-guaranteed equal access to the "free speech zone," the City delayed installation efforts until they closed the forum.

So, TST did what it is famous for and sued the government for a whole lot of constitutional violations. The problem is that this was before my involvement with TST, so the complaint not up to the task of overcoming judicial bias. Follow [this link](#) to see their complaint. Compare [mine](#). See, TST's original lawyers made the fatal error of thinking that TST actually receives its rightful "equal treatment under the law." No, I'm afraid that judges are willfully ignorant about basic concepts like "recuse if you feel like you are biased" once it comes time to dogpile onto an oppressed minority religion.

The Judge hand-waved some basic notions like "free speech" and "Satanists have just as much a right as Christians to participate in the public square," and [dismissed](#) all but one claim for various reasons. But we were told that we could refile (that's what "[Dismissed without prejudice](#)" means).

Rather than file a whole other lawsuit, I figured "hey let's just have one lawsuit, that's twice as efficient for everyone!" [Boy was I wrong](#). Basically, the magistrate chastised me because I waited two months to get started on discovery, on a case that had been running for 1.5 years. Fuck me for having other cases, I guess. And since I was "dilatory," I could take TST's dismissed claims and I could fuck all the way off.

So that put me in a bit of a pickle. TST needed a dismissal "with prejudice" or I can't appeal. But the Magistrate said I'm not allowed to bring those claims into TST 1. But I was told I could refile. And Magistrates lack the power to preclude claims. And, if I appealed the Magistrate's order, the District Judge was almost certain to affirm the Magistrate, which *might* preclude the claims (District Judges do have the power to preclude claims.)

So, I said "fuck the Magistrate, [and the police while you're at it](#)" and filed the claims (which I really can't overstate had been "[dismissed without prejudice](#)") as a separate lawsuit. I was entitled to file them all along, so if the Magistrate wants to be inefficient, that sounds like "not-me" problem. [Boy was I wrong](#).

I guess the moral of the story is, if a judge tells you that you are entitled to refile some dismissed claims as a separate lawsuit, the judiciary can take its "strong preference for judicial economy" and shove it all the way up their collective asses. Better to ask for forgiveness because, if you ask for permission first, you risk paying your chickenshit adversary [\\$17,000](#). God forbid the [insurance company](#) take a loss.

The underlying orders of dismissal are on appeal. If you want to hear me say all the above in a professional tone and with all the legal authority to back up why I'm right about everything and the District Judge is a big dum-dum, the briefing is worth a read.

- Here is my [opening brief](#).
- Here is the appendix (which has all the important record entries)
  - [TST 1](#) and
  - [TST 2](#); and
- Here is the [addendum](#) (which has all the orders at issue).
- Here is my [reply](#), which explains why the City's response to my opening brief is full of shit.

You'll want the appendices and addendum handy to cite-check my claims about what the record says.

I didn't share the filemarked copies because, for some ungodly reason, efilng removes bookmarks and I think bookmarks are incredibly helpful.

You can get their response from [PACER](#) (case no. **21-3079**), but it's not worth reading because it is the legal equivalent of "nuh uh," except they didn't even respond to most of my points. I would share my copy, but it has all of my super-secret notes and highlighting on it.

I will appeal the sanctions order. And I am asking for reassignment if I win either appeal.

AMA re: TST legal stuff.

# **EXHIBIT 7**

## Welcome to Reddit, the front page of the internet.

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▲ 93  
▼ self TST Court Update! (May 26, 2022) -- this one is by TST's  
lawyer [Question / Discussion](#) (self.SatanicTemple\_Reddit)  
+ submitted 20 hours ago \* by stormsmcgee 🌐 📷  
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- ▲ [-] **SexDrugsRockRollYay** 13 points 20 hours ago  
▼
1. Do you feel that the losses in TST's cases thus far have been based on legitimate legal findings, or simply because of some unfair/illegal treatment from judges?
  2. You mention some work done by previous lawyers. In your professional opinion, would the end results have been different if you were at the helm?
  3. Why is the QS case so taboo to speak about?

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▲ [-] **stormsmcgee** [S] 16 points 19 hours ago\*  
▼

Do you feel that the losses in TST's cases thus far have been based on legitimate legal findings, or simply because of some unfair/illegal treatment from judges?

That's a hefty question. I think it's a combination of the federal judiciary being overtaken by the right-wing, in reaction to the ~1960s Warren Court, which has resulted in an aversion to civil rights generally, all on the one hand; and a general aversion to the name "Satan" on the other. A lot of what TST goes through is pretty well known everywhere. Particularly in the criminal "justice" system. But, TST is held to unfair standards. But it wouldn't be Satanism without "Satan" and "American Humanists" are disrespected in the courts similarly. Over time, TST will gain more popularity, will become accepted as normal, and will start getting equal treatment under the law. Everything boils down to the system's perception of clout.

You mention some work done by previous lawyers. In your professional opinion, would the end results have been different if you were at the helm?

Frankly, no, but only because TST 1 was filed before the *Scottsdale* loss. There, two councilors wrote literal op-eds in the local newspaper that they intended to exclude TST from the "all-comer" legislative prayer policy. Less than two months later, TST was excluded. The Judge just couldn't connect the dots because they blamed the City Manager, who answers to both of those politicians, but who did *not* publicly state that he is a bigot. Because he denied under oath that he was a bigot, that was

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Welcome to the UNOFFICIAL subreddit for The  
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and Hail Satan!

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content to say "it's a fact issue, nothing we can do for you."

After *Scottsdale*, I attach every shred of evidence I can get from the public record that the defendant broke the law. TST is just held to egregious standards that another religion (cough, Christian Right) are just not.

Why is the QS case so taboo to speak about?

TST is in litigation with QS. You don't talk about a lawsuit while it's ongoing. Everything you say in the public record *will* be used against you. The rules carve out, whole-cloth, the bar against hearsay just so a party can use an adversary's out-of-court statements against them. Thus, we don't talk about QS.

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▲ [-] **Damaged142** [Hail Satan!](#) 2 points 18 hours ago

I wish you could speak about QS because they have pointed me to some of the court documents as well as a very well put together summary of the litigation so far... and while trying to not come across as offensive, I can't help but feel TSTs case/evidence as well as the overall approach seems... very poorly put together. The term, throwing spaghetti at the wall and see what sticks has been thrown around and tbh that's what it seems like. At lest to me, in this one particular case, as someone with no legal experience lol

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▲ [-] **stormsmcgee** [\[S\]](#) 9 points 18 hours ago

At this stage of proceedings, it is very normal for the parties to go back and forth about what issues will be litigated. Plaintiffs always want to have as many options available because who is to say how the facts will shake out. Defendants always want to constrain the plaintiff's choices for the same reason. Litigation is zero-sum. If Plaintiff wants something, that is generally bad for Defendant. And vice versa.

At the end of the day, TST is suing QS because QS stole TST's facebook page. The people we are suing publicly bragged that they "stole" the page. I wanted some federal statutes to apply because that would maximize TST's damages, would keep us in Federal court (as opposed to State court), and provided the option to collect attorney's fees for having to litigate this.

They have a diametrically opposite incentive. The Court ultimately agreed with them as to the Federal claims. The state claims survive. Maybe I overcomplicated things by bringing up the Federal issues, or maybe the Judge decided wrong. That will be for the Ninth Circuit to decide.

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▲ [-] **Krillpocalypse** 2 points 8 hours ago

If you're still willing to answer a question about this topic, I was hoping you could clarify something for me. I occasionally check the QS case on courtlistener, and it seems like earlier this month the case was dismissed in full. I admit that I am having a bit of trouble understanding all the legalese (even though I work tangentially with lawyers). Would you be willing to clarify what the status of the case is? Is it ongoing, is it dismissed with chance to appeal, is it a little of column A and a little of column B, etc.?

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▲ [-] **stormsmcgee** [\[S\]](#) 6 points 6 hours ago

The case was dismissed in part, not in full. The surviving claims are tortious interference (defendants wrongfully interfered with the

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1. Follow the Seven Tenets of The Satanic Temple. Posted at the FAQ of this subreddit as well as on TST's website. You can find the page with them [here](#).
2. No Visual Sexual Content. Decision is up to mods. If unsure ask. Common exceptions will be things like the school system's idea of "Sex Ed". If your post contains non-sexual nudity, please mark NSFW.
3. Posts Looking For Chapter Info Belong In The [Stickied Thread](#).
4. No Proselytizing. Defined here as: To attempt to convert someone to one's own religious faith. This is a TST sub, but since membership here is not restricted to TST members, we ask only that you respect the choice of other Redditors in this regard.
5. No Doxing. *Any mention of another user's inexplicitly-disclosed personal info will result in a ban, severity of which will be determined according to the offense.* It is no secret that there are others who would like to see us harmed or harassed; our Reddit pseudonyms are an important line of defense against this. Do not act against this defense.

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Holidays:

- **Jan. 22nd: Roe v. Wade Observance**
- **Feb. 15th: Lupercalia**  
Based on the Roman festival of the same name, Lupercalia falls on February 15. In keeping with the ancient tradition, February 13th and 14th are observed as feast days leading up to the actual holiday. What we are translating this to in TST is a "hail yourself" day. This idea offers a parallel to the "others-centered" traditions of Sol Invictus.
- **April 30th: Hexennacht**

Facebook page), and conversion (defendants wrongfully deprived TST of the Facebook page). The difference between trespass to chattels and conversion is one of degree.

All three surviving claims are questions of Washington State law, not Federal law. Defendants have moved for dismissal from Federal Court because, they argue, TST cannot show that there is an "amount in controversy" of at least \$75,000 (which is required for Federal jurisdiction). I have announced resistance to the motion. I need to come up with a credible justification that it is not-impossible a jury could legally award at least \$75,000 in damages.

Since punitive damages are on the table, that really means I really only need to justify \$12,500 in out-of-pocket damages. Punitive damages can be up to 6x compensatory damages (out-of-pocket losses). I've been mired in Belle Plaine since they filed the motion, so I haven't yet had an opportunity to evaluate the damages.

Alternatively, I have seen case law that says a Federal court has discretion to exercise jurisdiction over state law claims that arise from the same facts as a dismissed federal question. That will probably be part of the response as well.

My response is due at 11:59 pm, Pacific Time, on June 6.

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▲ [-] **Krillpocalypse** 3 points 4 hours ago

▼ Thank you for taking the time to explain this to me! I try to read through the court documents when I can, but there's a lot and it's hard to follow sometimes when you're a non-lawyer.

Since this post seems to be in response to the post yesterday, I'll assume you looked at the older post, in which case you may have seen where I said I was frustrated because I felt like you keep "shitting the bed", and I mentioned you by name since you're lead counsel. My frustrations are with when cases seem to go south due to more administrative or clerical issues, such as the Belle Plain one with the multiple filing issues and with the Boston convocation then-mayoral-candidate deposition situation where the judge mentioned that part of the reason for dismissing the case was due to TST's counsel being overly aggressive. Obviously I don't know what's going on with every aspect of the court cases; I can't even understand everything I'm reading when I try. I just wanted to apologize to you about that - I do appreciate the work you're doing, and I do think that the cases being brought forth are important.

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▲ [-] **stormsmcgee** [S] 1 point 4 hours ago

▼ More than happy to. I consider it part of my role as "TST's lawyer" to explain to TST's membership (not just TST's decisionmakers) what I am doing, why I am doing it, and how it affects the organization.

Re: ¶ 2, thank you for the kind words. Please know that I only know this stuff because I eat, sleep, and breathe the practice of law. Non-lawyers aren't expected to know all of the ins-and-outs because that's what lawyers are for. But be wary that there are people out there who will prey on ignorance. Sometimes they will have a personal or financial interest in distorting the truth, and sometimes

the Hexenachtnacht ceremony. The ceremony is a solemn holiday to honor those who were victimized by superstition.

• **June 6th: Devil's Night Observance**

666

• **July 25th: Unveiling Day**

A centerpiece of our religious movement and icon of modern Satanism, the Baphomet with Children statue was commissioned by The Satanic Temple in 2014 and created by Mark Porter with "respect for diversity and religious minorities" in mind. On July 25, 2015, The Satanic Temple unveiled Baphomet to a large crowd of devotees in Detroit, signaling the beginning of the new Satanic era. We observe this milestone in Satanic history by celebrating Unveiling Day.

• **Sept. 30th: Blasphemy Day Observance**

• **Oct. 31st: Halloween**

Halloween is consistently described as evil, demonic, and satanic by those steeped in religious dogma. Costumes, candy, and facing fears are to be embraced.

• **Dec. 25th: Sol Invictus**

The cult of Sol existed within Rome since its early days as a republic, and Invictus was an epithet used for Jupiter, Mars, and Apollo (among others). The festival celebrated these gods and may have also been used to celebrate the winter solstice, though this is debatable.

**Satanist-Owned Businesses:**

- Pins, Oils, and Perfumes: [Hexennacht](#)
- Satanic Ritual, Writing, and Art: [Serpentinae](#)
- PBN Satanic Tea Company: [Pitchblacknorth](#)
- Satanic Clothes, Jewelry, and More: [Ashemadeva](#)
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behind fluff, assessing the evidence for yourself, and then coming to a judgment based on logic and reason. And I double-comment you for being open to reconsidering a prior judgment based on new information.

Have you considered becoming a judge? We sure could use more like you.

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# **EXHIBIT 8**





**Matt Kezhaya**

@matt\_kezhaya



Replying to [@satanicherald](#) and [@QueerSatanic](#)

Are these fuckwits still talking about me?  
Grow up, and file an answer so I can get at  
your financial records. I'm coming for you.  
Tell the judge on me again, I double dare  
you.

2:20 PM · Nov 16, 2022 · Twitter for Android

# **EXHIBIT 9**

## KEZHAYA LAW PLC

MATTHEW A. KEZHAYA  
1202 NE MCCLAIN RD  
BENTONVILLE, AR 72712



P: (479) 431-6112  
F: (479) 282-2892  
MATT@KEZHAYA.LAW

October 29, 2021

Hon. Arnold Pacheco

**By ECF only**

Re: Satanic Temple v. Boston (21-cv-10102) – explanatory statement

Dear Judge,

Subject to and without waiving the separate letter objection, I submit this letter in compliance with the Court's order requiring Plaintiff to, by October 29, 2021 at 9:00 am, file a statement: (1) which explains why the deposition of Councilor Michelle Wu was scheduled for November 2, 2021; and (2) which shall not address any other issue (doc. 36).

This case is a matter of public interest. As a case of public interest, I expected the notice of deposition would inspire (or force) Wu to think about *all* of the people from whom she was seeking a vote of confidence on November 2—no matter the color of their skin, the flavor of their creed, or the origin of their mother tongue. I expected that she would be inspired to, if not appear and give truthful testimony about why my client simply cannot seem to convince a single sitting Councilor to extend an equal right to participate in this “non-discriminatory” governmental exercise of religion—despite three demands since 2016—at least recognize that we are a nation committed to appreciate each other. Not in spite of our differences, but because of them.

I expected, perhaps naively, that a mayoral candidate for a city that holds stewardship over Bunker Hill, Faneuil Hall, and the USS Constitution would have paused to think about what her candidacy means. Maybe it would even result in that precious invite, that public acknowledgment that my client stands on equal footing in the eyes of the law as other religions.

And, if not, I expected that the matter would at least be something the public takes heed of. Perhaps, if not the above, the public may take note of the caliber of Wu's character: as one who asserts an interest in diversity and inclusion, provided of course that it is politically expedient.

At bottom, my litigation strategy on this matter involved pitting Wu's and the City's litigation goals (i.e., concocting a credible lie as to why my client will never receive an

## KEZHAYA LAW PLC

MATTHEW A. KEZHAYA  
1202 NE MCCLAIN RD  
BENTONVILLE, AR 72712



P: (479) 431-6112  
F: (479) 282-2892  
MATT@KEZHAYA.LAW

invite, but which is also somehow not unconstitutional religious discrimination) against Wu's personal goals (i.e. winning her mayoral election). My bet was that her self-interest would win out against the litigation, and she would choose to expend her limited time and efforts on her campaign as opposed to internalizing whatever post-hoc justification the City comes up with based on the extrinsic proof.

Or, I would accept as a consolation prize, that Michelle Wu would cut off her nose to spite her face by publicly announcing her self-appointed status as above the law. Contra. Jones v. Clinton, 72 F.3d 1354, 1358 (8th Cir.) (“[T]he President, *like all other government officials*, is subject to the same laws that apply to all other members of our society”) (emphasis added) (cited with approval by the Supreme Court at Clinton v. Jones, 520 U.S. 681, 688, 117 S. Ct. 1636, 1641 (1997)).

Certainly, no *ordinary* citizen would be entitled to flaunt a subpoenaed deposition date by asserting they are “slightly busy” on that particular day. See <https://twitter.com/wutrain/status/1453479768901423110> (“I will be slightly busy on this day.”) No, an *ordinary* citizen would be expected to offer an alternative date of mutual agreeability. Contra. doc. 35 at pp. 2-5.

All of the foregoing is and was perfectly permissible under the Rules of Civil Procedure. By merely issuing the notice of deposition, I forced a cascading chain of events that has drawn public attention to this dispute, has reduced the City's ability to detriment my cause, and has increased the likelihood that my client would procure its sought-after invitation to participate in the prayer ceremony whether by judicial decree or by public pressure. The onus was then on the City to seek an alternative date—a offer they made and then reneged upon. Doc. 35 at pp. 2-5.

I feel no remorse for the action I took. As an attorney, it is my sworn duty to do anything short of breaking the law to see to it that my client's goals are recognized. This business of litigation is zero-sum. Everything I do which can benefit my client will cause an equal and opposite effect on the other side. I serve my purpose with all the zealous advocacy which my oath commands. And I expect nothing less from my adversaries.

Sincerely,  
/s/ Matthew A. Kezhaya

CC: City's counsel of record (by ECF)